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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ying Ding, Brian Halsall,
William R. Heineman

Art Unit: 1641

Serial No.: 09/268,437

Examiner: G. Gabel

Filed: March 12, 1999

Atty. Docket No.: UOC/134A/111

TECH CENTER 1600/2900

Title: SIMULTANEOUS MULTIANALYTE ELECTROCHEMICAL IMMUNOASSAY

CERTIFICATE OF MAILING BY EXPRESS MAIL - 37 CFR 1.10

'Express Mail' mailing label number: EL610087780US

Date of Deposit: December 6, 2000

I certify that this paper or fee (along with the enclosures noted herein) is being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 CFR 1.10 on the above date and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Ryan Cummins
By: Ryan Cummins (person mailing paper)

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

BOX CPA

*Assistant Commissioner for Patents
Washington, D.C. 20231*

Sir:

This is a request for a ☒ **continuation** ☐ divisional application under 37 CFR § 1.53(d), (continued prosecution application (CPA)) of prior application Serial No. 09/268,437, filed on March 12, 1999, and entitled SIMULTANEOUS MULTIANALYTE ELECTROCHEMICAL IMMUNOASSAY, which is a continuation of provisional application Serial No. 60/078,162, filed on March 16, 1998.

Small Entity Status:

- ☒ A Small Entity Statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ A Verified Statement to Establish Small Entity Status under 37 CFR 1.9 and 1.27 is enclosed as noted below.
- ☐ Small Entity Status is not/is no longer claimed.

Assignment:

- ☒ This application is assigned to University of Cincinnati by virtue of an earlier assignment filed in the prior application at Reel 01009, Frame 0978.
- ☐ An assignment to is enclosed as noted below.
- ☐ This application has not been assigned.

Entry of Amendments:

- ☐ Please enter the unentered Amendment After Final under 37 CFR § 1.116 previously filed in the prior nonprovisional application, prior to calculating fees.
- ☒ Please enter the enclosed Preliminary Amendment prior to calculating fees.

Petition for Extension of Time:

- ☒ Please consider this a petition to extend the time for responding to the Office Action in the prior nonprovisional application 2 month(s), whereby the date of response is extended to December 6, 2000. A check for the fee of \$195.00 is also enclosed herewith.
- ☐ A petition for an extension of time for responding to the Office Action in the prior nonprovisional application month(s) is enclosed herewith as a separate paper, whereby the date of response is extended to .

Deletion of Inventors Named in Parent Application:

- ☐ This application is filed by fewer than all of the inventors named in the prior nonprovisional application under 37 CFR § 1.53(d)(4). Please delete the following inventor(s) named in the prior nonprovisional application: .

CALCULATION OF FEES

- ☒ The fees (including fees for claims added by amendment) are calculated as follows:

Fee:	Number of Claims:	In Excess of:	Extra:	At Rate:	Amount:
Total Claims	10	20	0	\$18	\$0.00
Independent Claims	2	3	0	\$80	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					
BASIC FEE					\$355.00
TOTAL OF ABOVE CALCULATIONS					\$355.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY					\$355.00
TOTAL					\$355.00

ENCLOSURES

- ☒ Continued Prosecution Application (CPA) Request Transmittal containing Certificate of Mailing By Express Mail Under 37 CFR 1.10.
- ☒ Return Postcard.
- ☐ Verified Statement to Establish Small Entity Status under 37 CFR 1.9 and 1.27.

- ☐ Assignment to __, Recordation Cover Sheet (Form PTO-1595).
- ☒ **Preliminary Amendment (to be entered prior to calculation of fees).**
- ☐ Petition for Extension of Time.
- ☐ Information Disclosure Statement, __ sheet(s) Form PTO-1449, __ U.S. Patent Reference(s), __ Foreign Patent Reference(s) and __ Other Reference(s).
- ☐ Other: __.
- ☒ A Check of \$355.00 for the filing fee.
- ☐ A Check of __ for the assignment recording fee.
- ☒ A Check of \$195.00 for the extension of time fee.


DEPOSIT ACCOUNT AUTHORIZATION

- ☐ Please charge Deposit Account No. 23-3000 in the amount of __.
 - ☒ **The Commissioner is authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-3000. A duplicate of this transmittal is attached. Please also consider this a Petition for Extension of Time for a sufficient number of months to enter these papers, if appropriate.**
-

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324

GJL/swm/lgk

Respectfully Submitted,



Gregory J. Lunn
Reg. No. 29,945

Att'y Docket No. UOC-134A-111



Express Mail EL610087780US

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1/31/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/268,437
Filed: March 12, 1999
Art Unit: 1641
Examiner: G. Gabel
Applicant: Brian Halsall, William R. Heineman and Ying Ding
Title: **Simultaneous Multianalyte Electrochemical Immunoassay**

Cincinnati, Ohio 45202

December 6, 2000

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

In response to the Office Action mailed July 6, 2000 please amend the

Specification as follows: before line 1 of page 1, insert: -- Applicant claims priority to

Provisional Application No. 60/078,162 --

Please amend claim 1 as follows:

In line 2 delete "substrate" and insert in place thereof "surface".

Discussion

Applicant would request reconsideration of the rejection of the pending claims in light of the preceding amendment and the following discussion. Applicant has changed the word "substrate" in claim 1 to "surface" to overcome the objection by the Examiner. Confusion was caused by the fact that substrate has two separate meanings. In this instance substrate was used as surface and of course analyte binding substrate has a